

**Multiple Use Districts: Expansion and Enlargement  
of Nonconforming Uses****20.20.95. Expansion and Enlargement of Nonconforming Uses****A. South Tektronix Station Community Zoning Districts. [ORD  
4121; August 2000]**

For purposes of this section “preexisting use(s)” shall have the same meaning as nonconforming uses of land, nonconforming uses of structures, and nonconforming structures, including but not limited to preexisting site configurations not in compliance with current development standards. Uses of land, uses of structures, and structures in any of the South Tektronix Station Community zoning districts which are preexisting to the establishment of the South Tektronix Station Community zoning districts may be expanded or enlarged subject to this section. In the event this section requires interpretation the intent of Chapter 30 will control.

1. Any number of additions, expansions, enlargements, or modifications will be allowed upon findings that the proposed addition, expansion, or enlargement complies or is moving towards compliance with all appropriate development standards in this Code; provided, however, that in total the additions, expansions, enlargements, or modifications allowed under this subsection shall not exceed twenty (20%) of the gross floor area of the preexisting use as the use exists on September 28, 2000.
2. All additions, expansions, enlargements, or modifications of a preexisting use that take place after using the 20 percent addition, expansion, or enlargement exception shall be in conformance with the development standards of this Code. Projects may use the Final Planned Unit Development process to develop a site by phasing compliance with the development standards established in this ordinance. Such projects must demonstrate in the Planned Unit Development plans how future development of the site, to the minimum development standards established in this ordinance or greater, can be achieved at ultimate build out of the Planned Unit Development. [ORD 4224; August 2002]

**Multiple Use Districts: Expansion and Enlargement  
of Nonconforming Uses****20.20.95.A.**

3. If a pre existing and nonconforming use is involuntarily destroyed to an extent of more than 50% of its replacement cost at the time of destruction, then the use will retain its preexisting status under this provision so long as (a) the destroyed part of the use is at least 50% rebuilt, reconstructed, or replaced within three (3) years of the date of the loss; and (b) any new development other than the reestablished portion of the use conforms with the development standards of this Code, provided that in reestablishing the previously existing structure, the pad or footprint may be utilized in whole or in part. Projects may use the Final Planned Unit Development process to develop a site by phasing compliance with the development standards established in this ordinance. Such projects must demonstrate in the Planned Unit Development plans how future development of the site, to the minimum development standards established in this ordinance or greater, can be achieved at ultimate build out of the Planned Unit Development. [ORD 4224; August 2002]

**B. Regional Center**

For purposes of this section “preexisting use(s)” shall have the same meaning as nonconforming uses of land, nonconforming uses of structures, and nonconforming structures, including but not limited to preexisting site configurations not in compliance with current development standards. Uses of land, uses of structures, and structures in any of the Regional Center districts which are preexisting to the establishment of the Regional Center districts may be expanded or enlarged subject to this section. In the event this section requires interpretation the intent of Chapter 30 will control.

1. Any number of additions, expansions, or enlargements will be allowed upon findings that the proposed addition, expansion, or enlargement complies or is moving towards compliance with all appropriate development standards in this Code; provided, however, that in total the additions, expansions, or enlargements allowed under this subsection shall not exceed twenty (20%) of the gross floor area of the preexisting use as the use exists on December 9, 1999.

**Multiple Use Districts: Expansion and Enlargement  
of Nonconforming Uses**

## 20.20.95.B.

2. All additions, expansions, or enlargements of a preexisting use that take place after using the 20 percent addition, expansion, or enlargement exception shall be in conformance with the development standards of this Code. Projects may use the Final Planned Unit Development process to develop a site by phasing compliance with the development standards established in this Code. Such projects must demonstrate in the Planned Unit Development plans how future development of the site, to the minimum development standards established in this Code or greater, can be achieved at ultimate build out of the Planned Unit Development. [ORD 4224; August 2002]
3. If a pre existing and nonconforming use is involuntarily destroyed to an extent of more than 50% of its replacement cost at the time of destruction, then the use will retain its preexisting status under this provision so long as (a) the destroyed part of the use is at least 50% rebuilt, reconstructed, or replaced within three (3) years of the date of the loss; and (b) any new development other than the reestablished portion of the use conforms with the development standards of this Code, provided that in reestablishing the previously existing structure, the pad or footprint may be utilized in whole or in part. Projects may use the Final Planned Unit Development process to develop a site by phasing compliance with the development standards established in this ordinance. Such projects must demonstrate in the Planned Unit Development plans how future development of the site, to the minimum development standards established in this ordinance or greater, can be achieved at ultimate build out of the Planned Unit Development. [ORD 4224; August 2002]

